

FILED BY  D.C.

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**IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

ARTHUR SMITH, et al.,

Plaintiffs,

Case No.: 05-2447 D

vs.

FEDEX CORPORATION, et al.,

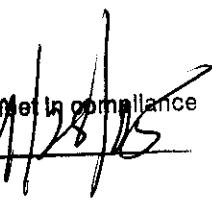
Defendants.

ORDER ADMINISTRATIVELY CLOSING CASE

It appears to the court this matter has been conditionally transferred to the MDL panel as part of MDL-1700. This court, therefore, will administratively close the above-captioned case pursuant to its inherent powers as it appears that no further case administration is warranted at the District Court level at this time.

It is expressly emphasized that an order administratively closing a case is purely an administrative device for the convenience of the court and in nowise affects the substantive and/or procedural rights of the parties in interest to proceed before this court at a later date. To administratively close a case merely means to close a case for statistical purposes in the office of the District Court Clerk and the Administrative Office of the United States Courts.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 9/28/05

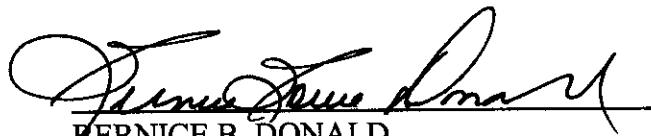


It also is expressly emphasized that an administratively closed case can be easily reopened by a simple order of the court without the necessity of a reopening filing fee should the case require further administration by the District Court. Upon its reopening, the case then becomes, ipso facto, a statistically active case and resumes the same status it had before the administrative closing without prejudice to the rights of any party in interest. Accordingly,

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

1. The Court Clerk is directed, consistent with the foregoing, to administratively close this case in his records without prejudice to the substantive and/or procedural rights of any party in interest to move at a later time to reopen the case for good cause, including the entry of any stipulation or order, or for any other purpose required to obtain a final determination of pending litigation.
2. In the event a party in interest files a motion at a later time seeking to reopen this administratively closed case, no reopening filing fee shall be required.
3. The Clerk is expressly directed to docket any order of dismissal immediately upon receipt.

IT IS SO ORDERED this 24 day of September, 2005.



BERNICE B. DONALD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:05-CV-02447 was distributed by fax, mail, or direct printing on September 28, 2005 to the parties listed.

Joni M. Thome
Halunen & Associates
220 South 6th Street
Suite 2000
Minneapolis, MN 55402

J. Gordon Rudd
Zimmerman & Reed, PLLP
651 Nicollet Mall
Suite 501
Minneapolis, MN 55401

Anne T. Regan
Zimmerman & Reed, PLLP
651 Nicollet Mall
Suite 501
Minneapolis, MN 55401

Charles N. Nauen
Lockridge Grindal Nauen, PLLP
100 Washington Avenue, South
Suite 2200
Minneapolis, MN 55401

James R. Mulroy
LEWIS FISHER HENDERSON & CLAXTON, LLP
6410 Poplar Ave.
Ste. 300
Memphis, TN 38119

Clayton D. Halunen
Halunen & Associates
220 South 6th Street
Suite 2000
Minneapolis, MN 55402

R. Christopher Gilreath
GILREATH & ASSOCIATES
6256 Poplar Ave.
Memphis, TN 38119

William T. Fiala
LEWIS FISHER HENDERSON CLAXTON & MULROY
6410 Poplar Ave.
Ste. 300
Memphis, TN 38119

Susan E. Ellingstad
Lockridge Grindal Nauen, PLLP
100 Washington Avenue, South
Suite 2200
Minneapolis, MN 55401

Edward J. Efkman
FEDERAL EXPRESS CORPORATION
3620 Hacks Cross Rd.
Bldg. B, 3rd fl.
Memphis, TN 38125

Joree Brownlow
LAW OFFICE OF JOREE G. BROWNLOW
1444 Gillham Dr.
Ste. 200
Bartlett, TN 38134

Honorable Bernice Donald
US DISTRICT COURT